IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JONATHAN HARRIS,)
Plaintiff,)
V) Civil Action No. 12-889
v .)
GERALD ARTHUR SANDUSKY,)
Defendant.)

ORDER OF COURT

AND NOW, this 28th day of June, 2012, upon consideration of the Motion for Leave to Proceed In Forma Pauperis purportedly filed by an individual named Jonathan Harris (Docket No. [1]), who allegedly resides at 1402 South Atherton St., State College, PA 16801, and the accompanying Motion for Preliminary Injunction and Temporary Restraining Order,

IT IS HEREBY ORDERED that the Motion for Leave to Proceed In Forma Pauperis [1] is DENIED and this case is DISMISSED, as frivolous. *See* 28 U.S.C. § 1915(e)(2) (with respect to matters initiated *in forma pauperis*, "[n]otwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that ... the action ... is frivolous or malicious."). Indeed, it is apparent to the Court that this is one of a series of frivolous suits brought in federal courts nationwide initiated by individuals using fake names against the defendant. *See Tom N. Jerry, et al., v. Gerald Arthur Sandusky*, Civ. A. No. 12-200-TMF-MRM, Docket No. 3 (S.D.Oh. Jun. 26, 2012). To this end, the address provided by whoever filed this matter is not for a residence in State College but is the address of the former headquarters of the non-profit organization that the defendant previously operated in that area. No other contact information of the purported plaintiff is listed. Dismissal is warranted for these and a myriad of other reasons, including, but not limited to: the fact that the supposed parties of

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this lawsuit are not diverse and, as no federal claims have been asserted, this Court lacks subject

matter jurisdiction over a dispute between two Pennsylvania residents, see 18 U.S.C. § 1332; and

the defendant is incarcerated making the purported plaintiff's claim that he "faces imminent

danger and bodily harm from the defendant" wholly without merit and subject to dismissal under

Rule 12(b)(6).

Finally, federal courts resolve serious disputes between litigants and individuals who file

such patently frivolous actions may be subject to sanctions by the Court and potential

prosecutions. As such, this matter will be referred to the appropriate authorities for further

investigation.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this action CLOSED.

s/Nora Barry Fischer

Nora Barry Fischer

United States District Judge

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